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**APPLICATION DETAILS**

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<b>Application No:</b>	<b>17/0793/FUL</b>
<b>Location:</b>	<b>Oakwood Court Gypsy Lane Middlesbrough</b>
<b>Proposal:</b>	<b>Alterations to form 1 no additional apartment</b>
<b>Applicant:</b>	<b>Mr Richard Harrison</b>
<b>Agent:</b>	<b>Mr Ian Grimshaw</b>
<b>Ward:</b>	<b>Marton East</b>
<b>Recommendation:</b>	<b>Approve with Conditions</b>

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**SUMMARY**

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Planning permission is sought to convert the existing ground floor managers flat into two flats.

Following a consultation exercise, no objections were received from residents or statutory consultees.

The development is considered to be an appropriate use for the area. It is consistent with the surrounding uses and will not have a significant impact on the amenities of the neighbouring properties, the character of the area, and highway safety.

The development is considered to be in accordance with the requirements of relevant policies DC1, CS4, CS5 and the Councils Interim Conversion Policy.

The application is recommended for approval subject to standard conditions.

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**SITE AND SURROUNDINGS AND PROPOSED WORKS**

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The application site (Oakwood Court) comprises of 38 flats in 2no two storey blocks providing sheltered accommodation for people over the age of 55. The site is located to the south of Gypsy Lane direct opposite the junction with Chestnut Drive and 585m east of the junction with Dixons Bank in Marton.

The application seeks planning approval to convert the existing managers flat into two, one bed flats.

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## PLANNING HISTORY

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No relevant planning history.

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## PLANNING POLICY

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In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Local Planning Authorities must determine applications for planning permission in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. Section 143 of the Localism Act requires the Local Planning Authority to take local finance considerations into account. Section 70(2) of the Town and Country Planning Act 1990 (as amended) requires Local Planning Authorities, in dealing with an application for planning permission, to have regard to:

- a) *The provisions of the development plan, so far as material to the application;*
- b) *Any local finance considerations, so far as material to the application; and*
- c) *Any other material considerations.*

The following documents together comprise the Development Plan for Middlesbrough;

Middlesbrough Local Plan;

- *Housing Local Plan (2014);*
- *Core Strategy DPD (2008, policies which have not been superseded/deleted only);*
- *Regeneration DPD (2009, policies which have not been superseded/deleted only);*
- *Tees Valley Joint Minerals and Waste Core Strategy DPD (2011);*
- *Tees Valley Joint Minerals and Waste Policies & Sites DPD (2011);*
- *Middlesbrough Local Plan (1999, Saved Policies only); and*
- *Marton West Neighbourhood Plan (2016, applicable in Marton West Ward only).*

The overarching principle of the National Planning Policy Framework (NPPF) is to support sustainable development, and that it should go ahead without delay. It defines the role of planning in achieving economically, socially and environmentally sustainable development and recognises that each are mutually dependent. The NPPF requires local planning authorities to approach development management decisions positively, utilising twelve 'core planning principles', which can be summarised as follows:

- *Being plan led;*
- *Enhancing and improving areas;*
- *Proactively drive and support sustainable economic development to deliver homes, business, industry and infrastructure and a thriving local economy;*
- *Always seek a high quality of design and good standard of amenity for existing and future occupants;*

- *Take account the different roles of areas, promoting the vitality of the main urban areas whilst recognising the intrinsic character of the countryside;*
- *Support the transition to a low carbon future, taking full account of flood risk, resources and renewables;*
- *Contribute to conserving and enhancing the natural environment;*
- *Encourage the effective use of land;*
- *Promote mixed use developments;*
- *Conserve heritage assets in a manner appropriate to their significance;*
- *Actively manage patterns of growth making fullest use public transport, walking and cycling and focus significant development in sustainable locations; and*
- *Take account of local strategies to support health, social and cultural well-being and deliver community and cultural facilities to meet local needs.*

The planning policies and key areas of guidance that are relevant to the consideration of the application are:

CS4 - Sustainable Development  
 E24 - Conversion/Reuse of Rural Building  
 CS5 - Design  
 UDSPD - Urban Design SPD  
 DC1 - General Development  
 ICP - Interim Conversion Policy

The detailed policy context and guidance for each policy is viewable within the relevant Local Plan documents, which can be accessed at the following web address.  
<https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy>

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## **CONSULTATION AND PUBLICITY RESPONSES**

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Neighbouring properties were consulted on the proposal, no representations have been made.

Highways - No objection 01.12.17

Environmental Health - No objection 01.12.17

Private Sector Housing - No objection 29.11.17

Waste Services - No objection 11.12.17

### **Public Responses**

Number of original neighbour consultations	6
Total numbers of comments received	0
Total number of objections	0
Total number of support	0
Total number of representations	0

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## PLANNING CONSIDERATION AND ASSESSMENT

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The application site (Oakwood Court) provides sheltered accommodation for people over the age of 55, the site comprises of 2 no two storey blocks comprising of 38 no type dwellings with communal facilities which provides 24 hour care on site. There is incurtilage residents/visitors car park directly to the front of the site accessed off Gypsy Lane.

The application seeks planning approval to convert the existing ground floor managers flat into two, one bedroomed flats which forms part of the two storey offshoot which faces directly out onto the car park at the front of the site.

The proposal should be assessed against Policies set out in the Development Plan. DC1, CS4 and CS5 are relevant and in essence seek to ensure high quality sustainable development; ensure the amenity of nearby residents; character of the area and highway safety are not adversely affected by the development. Consideration should also be given to the Councils Interim Conversion policy which seeks to ensure a suitable form of development. Policy H1 (Spatial Strategy) of the Housing Local Plan which sets out the Councils strategy for provision of housing within the Borough is also of relevance.

Policy CS5 requires high quality design in terms of layout, form and contribution to the character and appearance of the area and consideration must be given to Middlesbrough's Urban Design SPD (adopted Jan 2013)

The layout of the existing managers flat currently comprises of a living room, kitchen, bathroom, three bedrooms, walk in cupboard and store. The proposal will see the property split equally in two to provide a living room, kitchen, bathroom and one bedroom for both units. The alterations are fairly minor as there will be no extension to the footprint of the proposal and no projection from the elevations.

The layout of the building will maintain the existing footprint and no significant alterations are proposed externally and will therefore remain largely unchanged within the streetscene.

The Councils Interim Policy seeks to ensure that the property is capable of providing the number of units proposed to an acceptable standard. In this case the two flats are both of good proportions which meet the minimise space standards required. In addition the change will not lead to an unacceptable change in character and would not exacerbate any shortage of particular sizes and types of dwellings in the housing stock.

Policy DC1 requires all development proposals to take account of, or satisfy as a minimum, the effect upon surrounding environment and amenities of occupiers of nearby properties will be minimal during and after completion. Given that the proposal is for the addition of one additional unit only and that no external changes are proposed it is considered to be a fairly minor form of development. The proposal will have minimal impact on its surroundings and will have no impact on the character and appearance of the area.

Policy CS4 requires the proposal to promote sustainable development, ensuring everyone has access to health and other community and cultural facilities that they need in their everyday lives. Whilst the property currently has its own incurtilage residents parking at front the site is also located close to the local centre on Stokesley Road and other services on Dixons Bank and is located close to public transport links.

Whilst no additional car parking has been provided as part of the proposal it is the planning view that the extra traffic generated and car parking associated with the additional unit will not be of a level likely to result in an unacceptable impact on the adjacent neighbouring properties. The Councils Highway Officer considered the application and raised no objection in terms of highway safety and so the proposal is considered to be in accordance with policy DC1 (test d).

In terms of refuse collection, waste will be collected via the shared communal bins which are located around the site. The application therefore does not include the provision of a bin store as it is not necessary in this case.

The proposal has been assessed against local policy and guidance and is considered that the alterations to provide an additional unit is minimal are in keeping with the overall property in terms of form and scale. Given its relationship to surrounding properties it will not have any significant impact on the amenity of nearby residents. In addition the proposal will also contribute to provision of housing within the Borough.

It is the planning view that the development complements and enhances the existing property and is considered a suitable scheme in this location. The proposal will not have a detrimental impact on any of the neighbouring properties, local residents were consulted on the proposal no objections have been received.

For the reasons outlined above the proposal is deemed a satisfactory form of development. The proposal is fully in accordance with all relevant policy guidance and there are no material planning considerations that indicate that the application should be refused. The application is therefore recommended for approval subject to standard conditions.

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## **RECOMMENDATIONS AND CONDITIONS**

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### **Approve with Conditions**

1. **Approved Plans**

The development hereby approved shall be carried out in complete accordance with the plans and specifications received on 23rd November 2017 and shall relate to no other plans.

Reason: To ensure a satisfactory form of development and for the avoidance of doubt.

2. **Time Limit**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.

## **REASON FOR APPROVAL**

This application is satisfactory in that the proposed change of use from one residential unit to 2no self-contained flats accords with the principles of the National Planning Policy Framework (NPPF) and the local policy requirements (Policy DC1, CS4, CS5 & H1 of the Council's Local Development Framework).

In particular, the proposed change of use will not prejudice the character and function of the area and does not significantly affect any landscaping or prevent adequate and safe access to the site. The proposed change of use to 2no flats will be consistent with the existing residential uses of this location and will not be detrimental to any adjoining or surrounding properties. The traffic generated, car parking and noise associated with the use will not be of a level likely to result in an unacceptable impact on nearby premises.

The application is therefore considered to be an acceptable form of development, fully in accordance with the relevant policy guidance and there are no material considerations, which would indicate that the development should be refused.

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## **INFORMATIVES**

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Should the development require Street Names, Numbers and/or Post Codes the developer must contact the Council's Naming and Numbering representative on 01642 728155.

Case Officer: Joanne Lloyd

Committee Date: 2nd February 2018

